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November 7, 2007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>11/7/08</u>

NOV 11 / 2007

U.S. DISTRICT JUDGE
S.D. NY

Honorable Harold Baer, Jr.
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Manokhin, Derevianko & Tursunov
07 Cr. 815 (HB)

Dear Judge Baer:

I am writing regarding certain materials that were seized by the Government pursuant to a search warrant executed at Mr. Derevianko's residence in August. Prior to his arrest, Mr. Derevianko was working for me as a translator and interpreter for several of my clients.

Several of the boxes seized from Mr. Derevianko's residence related to translations and background materials prepared specifically for my clients. Those materials are protected by attorney-client privilege from disclosure to unauthorized parties such as the co-defendants in this case.

At yesterday's hearing, Mr. Farbiarz stated that the boxes seized from the Derevianko residence are private materials and the Government had no objection to their release. However, counsel for Mr. Manokhin requested additional time to review all materials seized from Mr. Derevianko's residence in order to search for alleged exculpatory evidence relating to his client.

To my knowledge, the Court did not enter any order yesterday prohibiting the release of any materials seized from Mr. Derevianko. Accordingly, I respectfully request that the Court order the Government to return these materials to my office as soon as possible.

Respectfully submitted,

Lawrence Spivak

Cc: Joel Dranove, Esq. (for Manokhin)
Robert Soloway, Esq. (for Derevianko)
Richard Jasper, Esq. (for Tursunov)
Michael Farbiarz, AUSA

SO ORDERED:

Harold Baer, Jr., U.S.D.J.

Date: 11/7/07

Handwritten notes:
These materials were seized from Mr. Derevianko's residence. The AUSA is not allowed to review them. The AUSA is not allowed to review them. The AUSA is not allowed to review them.

Endorsement:

I was never told these were privileged nor do I have any idea what the AUSA knows on that score, talk to him first and then perhaps if not resolved I will look further.